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Via ECF

November 27, 2024

The Honorable Henry J. Ricardo, U.S.M.J.
United States District Court
Southern District of New York
500 Pearl Street, Room 701
New York, New York 10007

Re: *Thompson et al., v. Elev8 Foundation Inc., et al.*
No. 1:20-cv-09581 (MMG) (HJR)

Dear Judge Ricardo:

We are counsel for Plaintiffs and write jointly with counsel to Defendants to provide the Court with a status update, pursuant to the Court's Order, dated November 14, 2024 (Dkt. 164).

Plaintiffs request that discovery be reopened, and Plaintiffs' previously filed motions be renewed and a briefing schedule set.

As the Court is aware, the parties attended a full-day class-wide mediation on September 9, 2024, with Martin F. Scheinman, Esq. The case has been stayed since May 17, 2024, in light of the mediation. Since the mediation, the parties have continued discussions but have not been able to reach a resolution. We have informed the Court of this, and the Court has generously granted numerous extensions over the last few months.

However, given the current failure of the parties to reach a resolution, Plaintiffs intend to continue with the litigation. Plaintiffs request that the stay be lifted immediately, and the deadline for fact discovery and depositions be set for September 30, 2025.

Plaintiffs also respectfully request that: (i) Plaintiffs' motions for leave to file a Third Amended Complaint (Dkt. No. 144), and Conditional Collective Certification (Dkt. No. 147) be renewed, with Defendants' responses due by January 24, 2025, and (ii) the outstanding discovery motions be ruled on.

We thank Your Honor for considering this request.

Respectfully submitted,

/s/ C.K. Lee
C.K. Lee, Esq.

cc: all parties via ECF